

Flood Lines

New Hampshire's NFIP Newsletter

Inside this issue:

NFIP Update 2

Mapping Update 2

Insurance Update 3

Mitigation Update 4

NFIP Feature
Topic - Funny It
Doesn't LOOK
like a Floodplain 5

Upcoming Events
and Training 6

Community
Spotlight - Salem 7

The Back Page -
Did You Know? 8

Contact
Information 8

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Winter 2007

Volume I, Issue I

Welcome!

Welcome to New Hampshire's first newsletter regarding the National Flood Insurance Program (NFIP). The Office of Energy and Planning's (OEP) Floodplain Management Program staff developed this quarterly newsletter to help keep communities and other interested parties informed about the NFIP and NFIP-related issues and events in New Hampshire. We hope you find the newsletter informative and helpful. Regular features will include updates on the NFIP, mapping, insurance, and mitigation; a discussion of an NFIP-related topic; a list of upcoming events and trainings; and the recognition of a community for a regulation or project that goes above and beyond the minimum NFIP requirements. If you have any comments or suggestions, please let us know (see page 8).

What's New?

FEMA's New Elevation Certificate

Effective January 1, 2007, the Federal Emergency Management Agency (FEMA) requires any certified elevations to be submitted on its updated Elevation Certificate form. FEMA first released the updated Elevation Certificate in February 2006 and phased it in on a voluntary basis until December 31, 2006.

The updated version, which is effective through February 28, 2009, can be found online at the web site below. At this web site, you can download either a pdf version or a Word version that you can "fill in" electronically.

The updated Elevation Certificate includes some minor changes including the additional requirement of two photographs of the building for use in obtaining flood insurance. More information about the changes to the Elevation Certificate can be found on the web site listed below.

The Elevation Certificate is an important administrative tool of the NFIP. It is used to provide elevation information necessary to ensure compliance with community floodplain management ordinances, to determine the proper insurance premium rate, and to support a request for Letter of Map Changes.

Elevation Certificate Web Site - www.fema.gov/business/nfip/elvinst.shtm.

NFIP Update

Newest NFIP Members

Congratulations to the towns of Candia and Newington, who joined the NFIP on July 27, 2006! This brings the total number of communities in New Hampshire that participate in the NFIP to 196 (83 percent of all communities).

Communities interested in joining the NFIP should contact Jennifer Gilbert at OEP by phone at (603) 271-2155 or by email at jennifer.gilbert@nh.gov.

Updated NH Floodplain Management Handbook Now Available

OEP recently updated the *New Hampshire Floodplain Management Handbook* with the help of Gomez and Sullivan Engineers. The handbook serves as a reference guide for community officials to enforce the community's floodplain regulations. Copies of the handbook have been sent to each participating community and are available from OEP or on our web site at: <http://www.nh.gov/oep/programs/floodplainmanagement/handbook.htm>.



Mapping Update

Map Modernization Overview

In 1999, FEMA began a nationwide program called the Flood Map Modernization Program (Map Mod) to update aging floodplain maps. Under the Map Mod program, FEMA is updating community maps with county-wide Digital Flood Insurance Rate Maps (DFIRMs). The background of the new maps is an aerial photograph (April 1998, USGS; 1-meter resolution, black & white digital orthophotoquads) whereas the old maps have a plain white background. In addition, the DFIRMs will be available in a digital format.

Status of NH Counties

The following is an update on the status of the new maps for each NH county:

Rockingham and Strafford - Final maps became effective on May 17, 2005.

Cheshire and Sullivan - Final maps became effective on May 23, 2006.

Hillsborough and Grafton - Final maps for Grafton County are expected to become effective in Summer 2007 while Hillsborough County maps are expected in Fall 2007. OEP is currently working with the participating communities on adopting amendments to their floodplain ordinances and adopting the new maps.

Merrimack - Preliminary maps are tentatively scheduled to be released in Spring 2007 and final maps in 2008.

Carroll, Belknap, and Coos -

No preliminary or final map dates are currently proposed.

New State Legislation to Assist with Map Adoption Process

New state legislation was passed in May 2006 to help communities with the FEMA map adoption process. Prior to the legislation, whenever FEMA issued a floodplain map, the municipality

(continued on page 3)

**Floodplain
Layer Now
Available on
UNH GRANIT's
Data Mapper**

Check out
GRANIT's online
mapping tool, which
now includes a
floodplain layer.

[http://
mapper.granit.
unh.edu](http://mapper.granit.unh.edu)

Mapping Update *(continued from page 2)*

adopted the new map by amending the current map date referenced in its floodplain ordinance. In order to make this change, a town was required to follow the state's zoning amendment procedures by placing the amendment on the town's warrant for ballot vote at the annual town meeting.

This process was burdensome and risky for towns. If the article failed to pass at town meeting, a community would automatically be suspended from the NFIP.

House Bill 1330, now RSA 674:57, al-

lows the Board of Selectmen (i.e. the town's governing body) to adopt a resolution to amend the floodplain map date referenced in the town's ordinance before the new map becomes effective.

Effective May 25, 2006, RSA 674:57 eliminates the requirement for towns to go through their annual town meeting (i.e. the town's legislative body) to adopt FEMA's maps. However, towns are still required to follow the state's zoning amendment procedures to make any other amendments to their floodplain ordinance.

**To view
RSA 674:57,
please visit:**

[http://
www.gencourt.
state.nh.us/rsa/
html/LXIV/
674/674-57.htm](http://www.gencourt.state.nh.us/rsa/html/LXIV/674/674-57.htm)

Flood Insurance Update

Mandatory Insurance Agent Training on NFIP

The NH Insurance Department issued a bulletin on October 2, 2006 detailing the training requirements for insurance agents who sell flood insurance through the NFIP. The training requirements, which went into effect on January 1, 2007, require agents who sell NFIP flood insurance to complete a one-time course related to the NFIP. The course must be taken before the end of 2007.

The Independent Insurance Agents and Brokers of NH will be offering these mandatory courses. For more information, please visit: www.IIANH.com.

Improving the Appeals Process

The NFIP claims appeals process is being strengthened, and Program policyholders are now receiving new documents that will explain these improvements.

Traditionally, FEMA used an informal process for handling appeals regarding

decisions made about NFIP coverage or claims. However, Section 205 of the Flood Insurance Reform Act of 2004 required FEMA to establish a formal process for policyholders who are dissatisfied with a decision to deny a claim. The appeals process is an adjunct to a policyholder's right to file a lawsuit in Federal district court for the disallowed portion of the claim, or to invoke the appraisal provision of the Standard Flood Insurance Policy (SFIP) - a procedure to resolve disputes about the actual value of covered losses.

The new appeals rule provides a process that enables policyholders to formally appeal the decisions of any insurance agent or adjuster, insurance company, FEMA employee, or contractor with respect to their SFIP claims, proofs of loss, and loss estimates. The rule's effective date is November 13, 2006.

A policyholder can initiate this formal appeals process after his or her

(continued on page 4)

**Number of Flood
Insurance Policies in
NH by County
(12/31/06)**

| | |
|---------------------|--------------|
| Belknap | 256 |
| Carroll | 443 |
| Cheshire | 528 |
| Coos | 187 |
| Grafton | 787 |
| Hillsborough | 935 |
| Merrimack | 445 |
| Rockingham | 3,334 |
| Strafford | 328 |
| Sullivan | 328 |
| State Total | 7,384 |

Flood Insurance Update *(continued from page 3)*

insurance company issues its final determination in the form of a written denial - in whole or in part - of the claim. The appeal must be filed within 60 days of receiving the insurance company's final claim determination. FEMA will acknowledge receipt of an appeal in writing and advise the policyholder if additional information is required for full consideration of the appeal.

Next, FEMA will review documentation submitted by the policyholder, and conduct any additional investigation needed. Finally, the policyholder and his or her insurance company will be advised of FEMA's decision regarding the appeal.

The formal appeals process outlined in this rule does not abolish or replace the right to file a lawsuit against the insurance company, nor does it expand or change the 1-year statute of limitation to file suit against the insurer for the disallowed portion of the insured's claim. To avoid potentially conflicting results as well as duplication of effort, a policyholder who files suit against an insurance company based on the denial of a claim or who has been subject to appraisal, is prohibited from filing an appeal under this process.

Reprinted from FEMA's NFIP eWatermark newsletter at: <http://watermark.nfipstat.com/20062/improveappeals.htm>

To learn about :

- Finding an agent near you
- Purchasing flood insurance
- Policies and coverage available
- Estimating your premium
- Filing a claim

Please visit FEMA's www.floodsmart.gov or call 1-888-379-9531.



Flood Hazard Mitigation Update

Flood Mitigation Assistance (FMA) Program

The Flood Mitigation Assistance (FMA) grant application period for Fiscal Year 2007 began when FEMA released the guidance on November 21, 2006.

The FMA program provides funding to States and communities so that cost-effective measures are taken to reduce or eliminate the long-term risk of flood damage to structures insured under the NFIP. FMA's continuing priority is to fund activities that reduce the number of repetitive loss structures.

FMA's 2007 funding is available for project activities at a maximum amount of approximately \$111,600 for New

Hampshire. The funding is allocated on a competitive basis at the state level.

Communities interested in funding submitted letters of intent to OEP by January 12, 2007. Eligible communities were contacted by January 19 and will have until February 14 to submit their final application to OEP.

The FMA cost share requirements are 75% Federal and 25% Non-Federal.

To learn more about FMA, please visit <http://www.nh.gov/oep/programs/floodplainmanagement/fma.htm> or contact Sandrine Thibault at OEP at 271-2155 or sandrine.thibault@nh.gov.

Examples of Eligible FMA Project Activities

- Acquisition of insured structures and underlying real property in fee simple and easements restricting real property to open space uses.
- Relocation of insured structures from acquired or restricted real property to non-hazard prone areas.
- Demolition and removal of insured structures on acquired or restricted real property.
- Elevation of insured residential structures.

NFIP Feature Topic:

Funny, It Doesn't LOOK Like a Floodplain!

By David Schein, FEMA

To many stakeholders, the NFIP's floodplain determination process is somewhat of a mystery. Many people think they know what a floodplain is, and perhaps even what one looks like, and they often wonder how floodplains are delineated on the NFIP's Flood Insurance Rate Maps (FIRMs). It is a good question.

To answer it, we first have to understand that nature and statutory or regulatory requirements don't always fit together neatly. Ideally, they should, but in the case of flood hazard delineations, we have to know a little bit about both hydrologic and hydraulic engineering methods, and fluvial geomorphology. Don't get scared. I said "a little bit."

Mother Nature's Work

Nature designs floodplains to carry excess water, water that overflows the natural conveyance system, such as rivers and streams and creeks and ditches (and ponds and lakes as well). These floodplains usually are easy for the lay observer to identify in the field. They look different than their surrounding geography. They are generally flat, to be sure, and more or less follow the natural stream bank or shoreline. There may be a scarp (escarpment) or natural drop-off from the slightly higher land adjacent to the floodplain, and these features are often called benches or beaches.

The vegetation in a floodplain is usually different, too. Certain trees like to get their feet wet from time to time, like cottonwoods and willows, so the geomorphic floodplain is typically inhabited by these water-tolerant species. Oaks, on the other hand, will almost never

naturally occupy soils that experience periodic inundation. The soils are derived from sediment deposited by floods, and they are typically very uniform, highly compacted, and clayey. These are characteristics of the geomorphic floodplain, a visible and describable physical feature.

Floodplains are FIRMLy Planted on Paper

The floodplains that are designated on FIRMs as Special Flood Hazard Areas (SFHAs) may or may not look like the scene described above. Very often, they are not noticeably different from the surrounding geography. This is because the SFHA is a statistical probability notion, per our regulations. A line on a FIRM separating what is "in" the floodplain from what is "out" of the floodplain does not always correspond to a recognizable ground feature or vegetation zone. It really just serves as an approximate dividing line between areas that have different statistical probabilities of being flooded.

As people who have lived through floods know—floods are not always statistically oriented. Thus, the dividing line on a FIRM between the SFHA and the rest of the world is established by a bunch of engineers getting together and modeling the watershed's runoff characteristics and determining how friction losses at encroachments (such as bridges, dams, culverts, fill, and buildings) affect the water surface elevation of the 1-percent-annual-chance flood event (sometimes erroneously called the "100-year" flood). The line marking the floodplain on the FIRM is established with the best available (and affordable) topographic information.

(continued on page 6)

"A line on a FIRM separating what is "in" the floodplain from what is "out" of the floodplain does not always correspond to a recognizable ground feature or vegetation zone."

Suggest a Future Topic

Is there an NFIP-related topic you would like to read more about? Please let us know by emailing jennifer.gilbert@nh.gov

NFIP Feature Topic:

Funny, It Doesn't LOOK Like a Floodplain!

By David Schein, FEMA (continued from page 5)

That said, the important thing to keep in mind is that water doesn't have to stop when it reaches ANY line on a map! Even the observable geomorphic floodplain limit may not confine large floods—an excellent reason for residential and commercial property owners in low- to moderate-risk flood zones to purchase the NFIP's very affordable Preferred Risk Policy. To put it another way, there are nature's floodplains, and FEMA engineers' floodplains. Someone's

got to make the call, so when dealing with the NFIP, the engineers have to be the ones. But, an educated prediction is not a guarantee. When you are gambling with Mother Nature, it is better to be safe than sorry.

Reprinted from FEMA's NFIP Watermark newsletter (2005, Number 3)

(<http://www.fema.gov/business/nfip/wm.shtm>)

“That said, the important thing to keep in mind is that water doesn't have to stop when it reaches ANY line on a map!”

Upcoming Events and Training

OEP NFIP Workshop

OEP NFIP staff will be conducting a workshop at OEP's annual spring Planning and Zoning conference on April 28, 2007 in Manchester. The workshop will include a discussion of stricter floodplain regulations that communities can adopt into their floodplain ordinance. It will also include an overview of the Community Rating System, a voluntary program that NFIP communities can participate in to reduce their residents' flood insurance premiums. More information about this workshop will be included in the April issue of this newsletter and on OEP's web site.

ASFPM 31st Annual Conference

The Association of State Floodplain Managers (ASFPM) will be holding their 31st annual conference from June 3-8, 2007 in Norfolk, Virginia.

This conference is for federal, state, and local floodplain management officials, consultants, and other interested parties. The conference covers a wide variety

of topics pertaining to floodplain management. For more information about this conference, please visit: <http://www.floods.org>.

NFIP Courses at FEMA's EMI

Did you know that FEMA offers NFIP-related courses at the Emergency Management Institute (EMI) in Emmitsburg, Maryland? If you are a state or local official, FEMA may reimburse you for your travel expenses. Lodging is available at EMI at no cost. All you would be responsible for is your meal ticket, which is about \$100 per week.

For more information about applying and upcoming courses, please visit <http://www.training.fema.gov/EMIweb>. All applications must be submitted and approved by the state's training officer, Roy Nieder. Applications should be sent to Mr. Nieder's attention at Department of Safety - Division of Fire Standards & Training & Emergency Medical Services, Richard M. Flynn Fire Academy, 33 Hazen Drive, Concord, NH 03305. He can be reached at (603) 271-2231.



Upcoming EMI Classes:

Community Rating System (E278) March 5 - 8, August 13-16, or September 24-27, 2007

Managing Floodplain Development Through the NFIP (E273) August 27-30, 2007



Community Spotlight — Town of Salem

The Town of Salem is located in the southeastern portion of the state along the Massachusetts border. Salem's estimated 2005 population is 29,941. The major river that flows through the community and is the source of many flooding problems in the town is the Spicket River.

Salem has been an NFIP participating community for the last 27 years. Currently, there are 342 flood insurance policies in place. To date, 91 losses totaling \$1.8 million have been paid to Salem residents.



Flooded street in Salem

Salem is being recognized because it currently enforces two floodplain regulations that go above and beyond the NFIP minimum regulations. First, Salem requires compensatory floodplain storage for any fill in a floodplain area. Salem's compensatory storage regulations states: "Any encroachment, including fill, new construction, substantial improvement, or other development within a special flood hazard area shall provide compensatory floodplain storage equal to the amount of encroachment."

This regulation is important especially for developed communities like Salem. Nature's purpose for a floodplain is to store or contain flood waters tempo-

rarily during a flood event. Under the NFIP minimum requirements, a community could allow development to encroach upon the entire floodplain. If this occurs, floodwaters lose their storage area and therefore not only threaten the development built within the floodplain but also force the water to flow into areas outside of the floodplain.

When a community requires compensatory storage, it means that whatever flood storage is lost to the encroachment must be offset by adding the same amount of flood storage on the site so that the storage capacity of the floodplain remains the same as it was before the encroachment.

The second town regulation requires that parking areas located in the floodplain be designed to flood. The regulation states: "All parking areas located within a special flood hazard area shall be tiered, sloped, or otherwise designed to flood during a base flood event."

These stricter regulations have certainly helped Salem to reduce the impacts of flooding but as the town discovered after the May 2006 floods, they are still not enough. The Town is hoping to take the next step at their upcoming town meeting in March by asking residents to vote in favor of additional floodplain regulations. The regulations currently proposed include increasing the compensatory storage requirement to equal twice the amount of encroachment and prohibiting new buildings in the floodplain.

An update on Salem's town meeting results will be in the April issue of this newsletter.

*Thank you to
Ross Moldoff,
Salem Planning
Director, for sharing
his community's
best floodplain
management
practice.*

Great job Salem!

To Spotlight Your Community

If you would like to spotlight your community for a regulation or a project that goes above and beyond the minimum requirements of the NFIP, please send your information to the mailing address listed under *NFIP Contact Information* on page 8 or email jennifer.gilbert@nh.gov

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Subscription Information

Flood Lines is available on OEP's web site. If you would like to be notified by email when the next quarterly issue is available or if you would like to unsubscribe, please email jennifer.gilbert@nh.gov and request to be added or removed from the email distribution list.

Newsletter Web Site:

[www.nh.gov/oep/
programs/
floodplainmanagement/
newsletter.htm](http://www.nh.gov/oep/programs/floodplainmanagement/newsletter.htm)

The Back Page

Did You Know?

A common misconception of the 100-year flood is that it occurs once every 100 years. Not true! To help eliminate this confusion FEMA calls the "100-year flood" the "one-percent flood." The one percent flood is defined as a flood that has a one percent or greater chance of occurring in any given year. So what exactly does this mean?

It's all about probability. Let's say you have a jar filled with 99 purple marbles and one green marble (representing the one-percent flood). If you reached your hand into the jar and picked one marble, the chance of pulling out the green marble is a one percent chance (or 1 out of 100 chance). If you wanted to try again, you must first make sure that all 100 marbles are back in the jar. The chance of picking the green marble for the second time in a row is one percent. The same is true with the one-percent flood. It may occur one year and then again the next year or it may be several years until it occurs. It all depends on the chance that Mother Nature will pick that green marble.

Did You Also Know?

- Everyone lives in a flood zone – low-risk, moderate-risk, or high-risk.
- Most homeowners insurance does not cover flood damage.
- Flash floods often bring walls of water 10 to 20 feet high.
- Just an inch of water can cause costly damage to your property.
- If you live in a Special Flood Hazard Area (SFHA) or high risk area, your mortgage lender requires you to have flood insurance.
- A car can easily be carried away by just two feet of floodwater.
- New land development can increase flood risk, especially if the construction changes natural runoff paths.
- You are eligible to purchase flood insurance as long as your community participates in the National Flood Insurance Program.
- It takes 30 days after purchase for a policy to take effect, so it's important to buy insurance before the floodwaters start to rise.
- Federal disaster assistance is usually a loan that must be paid back with interest. For a \$50,000 loan at 4% interest, your monthly payment would be around \$240 *a month* (\$2,880 a year) for 30 years. Compare that to a \$100,000 flood insurance premium, which is about \$33 *a month* (\$500 a year).

Source: FEMA's FloodSmart.gov (www.floodsmart.gov)